

RESOLUTION NO. 4587

A RESOLUTION SETTING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING UNDER THE DANGEROUS OR UNSAFE STRUCTURE PROCEDURES REGARDING THE STRUCTURE LOCATED AT 4125 W. 100TH PLACE, OVERLAND PARK, KANSAS.

WHEREAS, pursuant to K.S.A. 12-1752 and OPMC 16.190.110.2, the Building Official submitted a report dated January 6, 2020, to the Governing Body stating that the structure located on the property described hereafter is dangerous and unsafe and providing the reasons therefore; and

WHEREAS, the structure is located on the property commonly known as 4125 W. 100th Place, Overland Park, Kansas, and legally described as: LEAWOOD ESTATES LT 1166 OPC 773 1166; and

WHEREAS, the Owner of Record has failed to comply with the Building Official's order to repair the damaged structure and therefore no action has been taken to abate said condition.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

SECTION 1. That a hearing be set for March 2, 2020, in the Council Chambers of Overland Park City Hall, 8500 Santa Fe Drive, during normal Council proceedings which commence at 7:30 p.m. The hearing is to address the question of whether the above-cited structure is dangerous and unsafe in accordance with K.S.A. 12-1752 and OPMC 16.190.110.2. At that time, persons, including, but not limited to, the owner, the owner's agent, lien holders of record, occupants, and any other parties of interest, may appear and show cause why such structure should not be condemned and ordered repaired or demolished.

SECTION 2. That this Resolution shall be published in an official City newspaper once each week for two consecutive weeks on the same day of the week; and at least 30 days shall elapse between the last publication and the date set for the hearing.

SECTION 3. That the Building Official shall make a reasonable attempt to determine the names and addresses of the owner, any owner's agent, any lien holders of record, and any occupants, and within three days after first publication, shall mail a copy of this Resolution by certified mail marked "Deliver to Addressee Only" to each of them at their last known address.

SECTION 4. That should the dangerous or unsafe condition be abated prior to the hearing, the Building Official shall cancel the hearing and release any insurance funds on deposit with the City (if any). In such event the Building Official shall then notify the Governing Body, the owner and the other parties of interest that the dangerous or unsafe condition has been abated and that the hearing has been cancelled.

ADOPTED by the City Council this 6th day of January, 2020.

APPROVED AND SIGNED by the Mayor this 6th day of January, 2020.

CITY OF OVERLAND PARK, KANSAS

(s) Carl Gerlach _____
Carl Gerlach, Mayor

ATTEST:

APPROVED AS TO FORM:

(s) Elizabeth Kelley _____
Elizabeth Kelley
City Clerk

(s) Stephen B. Horner _____
Stephen B. Horner
Senior Assistant City Attorney